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16 Attorneys for Defendant  
17 CIGNA BEHAVIORAL HEALTH, INC.

18 [ADDITIONAL COUNSEL LISTED ON  
19 SIGNATURE PAGE]

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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

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30 PACIFIC RECOVERY SOLUTIONS d/b/a  
31 WESTWIND RECOVERY, MIRIAM  
32 HAMIDEH PHD CLINICAL PSYCHOLOGIST  
33 INC. d/b/a PCI WESTLAKE CENTERS,  
34 BRIDGING THE CAPS, INC., SUMMIT  
35 ESTATE INC. d/b/a SUMMIT ESTATE  
36 OUTPATIENT, on behalf of themselves and all  
37 others similarly situated,

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39 Plaintiffs,

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41 vs.

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43 CIGNA BEHAVIORAL HEALTH, INC., a  
44 Minnesota corporation, and VIANT, INC., a  
45 Nevada corporation,

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47 Defendants.

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49 Case No. 5:20-cv-02251-EJD

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**JOINT STIPULATION AND [PROPOSED]  
ORDER REGARDING BRIEFING  
SCHEDULE ON MOTIONS TO DISMISS**

1 Pursuant to Civil Local Rule 6-2, it is stipulated between and among Plaintiffs Pacific  
2 Recovery Solutions d/b/a Westwind Recovery, Miriam Hamideh PhD Clinical Psychologist Inc.  
3 d/b/a PCI Westlake Centers, Bridging the Gaps, Inc., Summit Estate Inc. d/b/a Summit Estate  
4 Outpatient, (collectively, the “Plaintiffs”), and Defendants Cigna Behavioral Health, Inc. (“Cigna”)  
5 and Viant, Inc. (“Viant,” and together with Cigna, “Defendants”), by and through their respective  
6 counsel, as follows:

7 1. Whereas, on June 4, 2020, Defendants Cigna and Viant each filed a Motion to Dismiss  
8 the Complaint;

9 2. Whereas, under Local Civil Rule 7-3, Plaintiffs’ Oppositions to Cigna’s and Viant’s  
10 motions are currently due on June 18, 2020, and Cigna’s and Viant’s Replies are currently due on  
11 June 25, 2020;

12 3. Whereas, given the number of different claims asserted by the Complaint, and given  
13 that Cigna and Viant have filed separate motions to dismiss, the parties have conferred and agree that  
14 a brief seven-day extension of the default deadlines for the Oppositions and the Replies is  
15 appropriate;

16 4. Whereas, the parties have not previously requested modifications to this briefing  
17 schedule, and the parties do not believe that the requested time modifications will affect the schedule  
18 of the case, including the currently-noticed August 6, 2020 9:00am hearing date;

19 NOW, THEREFORE, IT IS HEREBY STIPULATED by and between the Parties, through  
20 their respective counsel and subject to the Court’s approval, that:

21 1. Plaintiffs’ Oppositions to Cigna’s and Viant’s Motions to Dismiss are due on or before  
22 June 25, 2020; and

23 2. Defendants Cigna’s and Viant’s Replies in support of their respective Motions to  
24 Dismiss are due on or before July 9, 2020.

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1 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

2 Dated: June 12, 2020

3 **NAPOLI SHKOLNIK, PLLC**

4 By: /s/ Matthew M. Lavin  
5 MATTHEW M. LAVIN  
6 WENDY A. MITCHELL

7 **DL LAW GROUP**

8 DAVID M. LILIENSTEIN  
9 KATIE J. SPIELMAN

10 Attorneys for Plaintiffs

11 Dated: June 12, 2020

12 **MCDERMOTT WILL & EMERY LLP**

13 By: /s/ Dmitriy Tishyevich  
14 WILLIAM P. DONOVAN, JR.  
15 JOSHUA B. SIMON  
16 WARREN HASKEL  
17 DMITRIY TISHYEVICH

18 Attorneys for Defendant  
19 CIGNA BEHAVIORAL HEALTH, INC.

20 Dated: June 12, 2020

21 **PHELPS DUNBAR LLP**

22 By: /s/ Carys A. Arvidson  
23 ERROL J. KING, JR.  
24 CARYS A. ARVIDSON

25 Attorneys for Defendant  
26 VIANT, INC.

27 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

28 DATED: 6/12/2020



The Honorable Edward J. Davila  
United States District Judge